

SENATE BILL 1538  
By Crutchfield

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 8,  
Part 5, relative to county officials and entities adopting and  
filing personnel policies for their offices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 5-8-505, is amended by designating  
the existing language as subsection (a) and by adding the following language as subsection (b):

(b) Each county official or entity required to file a report under subsection (a)  
shall file with the clerk of the county legislative body a copy of the following information  
on or before July 1 of each year (or a statement that no changes have been made since  
the last report):

(1) The personnel policies in effect in the office or entity (including sick  
leave, vacation, state or federal family and medical leave act, or other leave  
policies), the grievance procedure for the office to comply with the equal  
opportunity laws and guidelines and with the Americans with Disabilities Act and  
the compensatory time policy in effect for the office or a statement that no  
compensatory time is allowed;

(2) A statement that each employee in the office has received a copy of  
each policy or amendment and each grievance procedure;

(3) A statement that records of the number of hours worked for each  
employee, regular and overtime, leave balances, and other records are

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maintained and available for inspection for the purpose of complying with the federal wage and hour law, including whether each employee is paid a salary (and if so what hours the salary is intended to be compensation for) or paid by the hour and the regular rate of pay for each employee;

(4) A statement that copies of the completed immigration form I-9 for each employee hired since the previous report are available for inspection;

(5) A statement that all posters and other employee notifications required by federal Fair Labor Standards Act, the Family and Medical Leave Act, applicable equal employment opportunity laws, and other applicable federal laws have been properly posted or otherwise given as required by law; and

(6) Any applicable drug and/or alcohol testing policy.

Nothing in this subsection or in the above filings or policies shall be construed to affect the employment-at-will status of any county employee or otherwise to create any contractual obligation on the part of the county as employer, unless a contrary intent is clearly and expressly stated in the policy. The office or department of any county official or entity who fails to comply with this subsection shall be controlled by the policies adopted by the county legislative body until such official shall adopt and file the policies outlined in this subsection. Provided, however, the office of any newly elected or appointed official shall be controlled by the policies adopted by his or her predecessor until such time as the official shall adopt and file his or her new policies as required by this subsection.

SECTION 2. This act shall take effect January 1, 1998, the public welfare requiring it.

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 8, Part 5, relative to county officials and entities adopting and filing personnel policies for their offices.

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